

Chairperson Scott Hickle
Vice-Chairperson Pete Bienski
Parliamentarian Nancy Hardeman



Commissioners
Michael Beckendorf
Leo Gonzalez
Bobby Gutierrez
Kevin Krolczyk
Prentiss Madison
Robert Swearingen

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
WORKSHOP MEETING
THURSDAY, MARCH 6, 2014 – 5:00 P.M.
ROOM 305, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription*

1. CALL TO ORDER.

Chairperson Hickle called the meeting to order at 5:08 pm.

Commission Members Present:, Mr. Scott Hickle, Mr. Bobby Gutierrez, Mr. Pete Bienski, Ms. Nancy Hardeman, Mr. Michael Beckendorf, Mr. Leo Gonzalez, Mr. Kevin Krolczyk, Mr. Prentiss Madison, and Mr. Robert Swearingen.

Commission Member Absent: none.

Staff Members Present: Mr. Martin Zimmermann, Planning Administrator; Ms. Janis Hampton, City Attorney; Ms. Maggie Dalton, Staff Planner; Mr. Randy Haynes, Senior Planner; Mr. Matthew Hilgemeier, Staff Planner; Mr. Paul Kaspar, City Engineer; Ms. Alsie Bond, Community Development Manager; and Ms. Annette Denton, Planning Intern.

2. STAFF ANNOUNCEMENTS (This item includes introductions of new employees, meeting reminders, upcoming events, and staff recognition).

- a. Upcoming regular meeting dates are March 20 and April 3.**
- b. Joint meeting with the City Council on April 8.**

Mr. Zimmermann reminded Commissioners of upcoming meetings. Mr. Zimmermann distributed comments that staff had received from a citizen regarding an upcoming case (Rezoning case no. RZ14-05).

Commissioner Gutierrez thanked Mr. Haynes and all staff members for helping small business owners with development questions and problems.

3. PLANNING AND ZONING COMMISSION SUBCOMMITTEE UPDATES (Questions may be directed to staff, no action will be taken).

- a. Subdivision Ordinance Update (Hardeman/Krolczyk).**
- b. Comprehensive Plan Update (Bienski/Hardeman/Hickle).**
- c. Off-Street Parking for Multi-Family Developments (Beckendorf/Gonzalez/Gutierrez).**
- d. Zoning/Land and Site Development Ordinance Updates (Hardeman/Madison).**

Mr. Zimmermann provided the following subcommittee updates:

- The subdivision ordinance draft is being finalized so that it can be presented to the full Commission in the summer.
- The Comprehensive Plan Update Subcommittee is scheduled to meet on March 27, 2014.
- The A&M students researching the area will give a presentation in Council Chambers on April 24th at 9 am.

4. REVIEW OF AGENDA ITEMS FOR REGULAR MEETING OF MARCH 6, 2014 (Questions may be directed to staff, no action will be taken).

Questions were directed to staff. No action was taken.

5. STAFF PRESENTATION, DISCUSSION, AND POSSIBLE DIRECTION TO STAFF CONCERNING ZONING REGULATIONS FOR CREDIT ACCESS BUSINESSES.

Ms. Dalton presented a draft ordinance staff report (on file in the Development Services Department).

Commissioners asked:

- Why non-legal language was included in the ordinance, such as “easy money”?

Ms. Hampton explained that the non-legal language was not part of the codified ordinance, but an explanation provided with the ordinance.

- What kind of response has City Council received?

Ms. Hampton responded that an attorney for credit access businesses was present at the Council meeting that the business regulations were considered, but did not speak at the public hearing.

- Whether zoning regulations had been challenged legally?

Ms. Hampton responded that two cases were pending which challenged these types of regulations.

- Whether businesses had not objected because they found loopholes?

Ms. Bond responded that the effect of the ordinance had yet to be seen.

Commissioner Madison entered at 5:40 pm.

- How staff justified spacing requirements and whether the proposed spacing of 1000 ft. was enough distance?

Mr. Zimmermann responded that the spacing requirements helped avoid the secondary effects from the appearance of the businesses and that the regulations must not prevent the businesses from locating anywhere within the city.

- Whether College Station would adopt zoning regulations?

Mr. Zimmermann responded that he would try to get an answer from College Station staff.

- How many credit access businesses there were in Bryan

Ms. Bond responded that there were currently 10 businesses in Bryan registered with the state of Texas as credit access businesses, but that a study several years ago found 56 alternative financial businesses in the Bryan-College Station area; so the actual number may be higher.

- What would the penalty for violating the ordinance be?

Ms. Hampton responded that the violation would be a Class C misdemeanor, like other violations of the Zoning Ordinance.

- Why the overlay districts did not include Texas Avenue

Ms. Dalton responded that there was no Texas Avenue corridor overlay district, but that Texas Avenue was classified as major arterial street on the City's Thoroughfare Plan, and that the proposed regulations would prevent credit access businesses from locating along major arterial streets.

Commissioners directed staff to

- ensure that "deferred presentment" is defined.
- ensure that "transaction" is defined.
- ensure that "freestanding structure" is defined.
- add "credit" before "certain access businesses".
- remove ambiguity introduced by using "and".

6. STAFF PRESENTATION, DISCUSSION AND POSSIBLE DIRECTION TO STAFF CONCERNING THE PLANNING AND ZONING COMMISSION'S PLAN OF WORK.

Mr. Zimmermann presented the Commission's current items for the plan of work.

Chairperson Hickle asked commissioners if they wanted to add any additional items before their meeting with City Council. By consensus, Commissioners decided not to add any more items to the plan of work

7. FUTURE AGENDA ITEMS (A Planning and Zoning Commission member may request that a subject for which notice has not been given be placed on an agenda for a future meeting).

Chairperson Hickle requested that the Planning and Zoning Commission visit various city services, such as the wastewater treatment facility and fire station.

8. ADJOURN.

Without objection, Chairperson Hickle adjourned the meeting at 5:56 pm.

These minutes were reviewed and approved by the City of Bryan Planning and Zoning Commission on this the 3rd day of **April, 2014**.

A. S. Hickle, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, AICP
Planning Administrator and Secretary to the
Planning and Zoning Commission